

WP No.34201 of 2014

The Hon`ble The CHIEF JUSTICE
and
The Hon`ble Mr Justice T. S. SIVAGNANAM

Siva Elango
President, Satta Panchayat Iyakkam, No.
31, South Boag Road, T.Nagar, Chennai-17
Vs
The Chief Secretary
Government of Tamilnadu, Fort St.
George, Chennai-9 and 3 others.

The additional counter-affidavit filed on behalf of first two respondents makes it abundantly clear that the State Government has no intention whatsoever of bringing out any legislation for Right to Public Services. What is stated is that the Citizen`s Charter approach is implemented in Tamil Nadu, under which there are ideal time periods specified and large number of grievances have been redressed.

2. In our view, that is not the question as there is a further issue of consequences, if the information is not supplied, which does not arise in the Citizen`s Charter approach. From the fact of a large number of petitions being filed on account of non-disposal of the applications in different departments and the Court being called upon to consequently pass orders it is quite apparent that without some element of adverse consequence, implementation in proper manner, may not be practicable. It is, in this context, we had observed in our order dated 26.2.2015 that we are conscious that Right to Public Services Act was a legislative exercise and thus, no writ could have been issued in this behalf, but we wanted to know the stand of the Government, being an elected Government, which was naturally responsible to the people, who elect them and consequently, expect a time bound service from the State Government. The State Government in paragraph 11 of the additional counter-affidavit refers to this aspect and this being the policy decision, of which, we are quite aware, we had so observed in the order dated 26.02.2015.

3. We can clear the air by saying that despite the desirability of the Act, it is the policy decision of the State Government not to have it.

4. No further directions are required in this matter.

[CJ] [T S S J]

20/04/2015

bbr